

Notice of Allowability

Application No.

10/010,703

Examiner

Natalia Figueroa

Applicant(s)

EMO, BRUCE

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment (18 June 2005).
2. ☒ The allowed claim(s) is/are 1-6, 8-25 and 27-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>09/14/2005</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 14 September 2005 (09/14/2005) is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

2. Claims 1-6, 8-25 and 27-39 are allowed.

3. The following is an examiner's statement of reasons for allowance:

RE claim 1, the prior art of record, and in particular Ottensen et al (USPN 6,560,054), fails to teach or suggest a method comprising selecting a spin motor index associated with a circumferential position about the motor based upon the measured times between FCOM pulses using a predetermined criteria, wherein a predetermined number of FCOM pulses are associated with one revolution of the motor and measurements are taken between the predetermined number of FCOM pulses associated with one revolution of the motor.

RE claim 21, the prior art of record, and in particular Ottensen et al (USPN 6,560,054), fails to teach or suggest a disk drive comprising circuitry for selecting a spin motor index associated with a circumferential position about the motor based upon the measured times between FCOM pulses using a predetermined criteria, wherein a predetermined number of FCOM pulses are associated with one revolution of the motor and measurements are taken between the predetermined number of FCOM pulses associated with one revolution of the motor.

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RE claim 34, the prior art of record, and in particular Ottensen et al (USPN 6,560,054), fails to teach or suggest a method comprising deriving a circumferential position about the motor in the absence of reading said servo sector index stored on the disk surface, wherein said circumferential position is derived using mechanical tolerances in constructing at least one of the rotor and the stator.

RE claims 35-36, the prior art of record, and in particular Ottensen et al (USPN 6,560,054), fails to teach or suggest a method and associated disk drive comprising selecting a spin motor index associated with a circumferential position about the motor based upon the measured times between FCOM pulses using a predetermined criteria; providing a disk surface having a landing zone thereon; providing a transducer operable to be loaded over and unloaded from the disk surface; providing a ramp for parking the transducer when unloaded from the disk surface; using the servo index when loading the transducer over the disk surface from the ramp, wherein the landing zone does not extend around the entire circumference of the disk surface.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalia Figueroa whose telephone number is (571) 272-7554. The examiner can normally be reached on Monday - Thursday 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


NFM


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600